



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **29 June 2015**

Country: Republic of Moldova

Description of the assignment: National Legal Consultant

Project name: "Mainstreaming biodiversity conservation into Moldova territorial planning policies and land-use practices"

Period of assignment/services: 200 working days, during July 2015 - December 2017

Proposals should be submitted online by pressing the "Apply now" button no later than 23:59, 7 July 2015.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: alexandru.rotaru@undp.org. UNDP will respond by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all applicants.

5. **BACKGROUND**

The United Nations Development Programme (UNDP), acting as an implementing agency of the Global Environment Facility (GEF), is providing assistance to the Ministry of Environment of the Republic of Moldova in implementation of the GEF Medium Sized Project (MSP) "Mainstreaming Biodiversity Conservation into Moldova's Territorial Planning Policies and Land-Use Practices" (BD mainstreaming project).

Despite the Government's reform efforts, the spatial/territorial planning framework is facing two types of barriers: (i) inadequate planning and enforcement framework and (ii) inadequate demonstrated experiences in spatial planning and biodiversity-compatible land management practices.

Against this background, the BD mainstreaming Project will be addressing the gaps in land planning and enforcement systems through development of relevant regulations, standards and legislation to accommodate biodiversity conservation objectives while the gap of limited coordination across sectors will be addressed by establishing a multi-stakeholder committee which will ensure a unified approach in the development, implementation and enforcement of land-use plans from the different ministries and departments. In addition, a monitoring system will be emplaced among the various regulatory agencies, assigning responsibilities based on comparative advantage, in order to evaluate acceptable limits of change in biodiversity-important areas. The gap of inadequate demonstrated experiences in spatial planning and biodiversity-compatible land management practices will be tackled through development

and testing of biodiversity-compatible district spatial (land-use) plans in 2 districts of Moldova, relying on cross-sectoral working groups, GIS technologies for biodiversity mapping, identification of sites of conflict between biodiversity and human activities and others.

Overall, the objective of the project is to mainstream biodiversity conservation priorities into Moldova's territorial planning policies and land-use practices through two components – the first will focus on modifying the land use planning and enforcement system so that it addresses biodiversity loss, and the second will demonstrate methods for conservation and sustainable use of biodiversity on communal lands outside Pas.

The BD mainstreaming project is implemented as part of a larger biodiversity programme, which includes also UNDP/EU Clima East Project "Sustainable management of pastures and community forests in Moldova's first National Park Orhei to demonstrate climate change mitigation and adaptation benefits and dividends for local communities".

2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

The Legal Consultant will support the Ministry of Environment of Moldova and the Ministry of Agriculture, as well as other stakeholders in amending land and forest legislation and related regulations and standards for mainstreaming biodiversity at national and local levels.

The Consultant will report directly to the project manager of the BD mainstreaming project and will work with all other involved international and/or national consultants.

For detailed information, please refer to Annex 1 – Terms of Reference.

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- University or Advanced Degree in law, environmental law, biodiversity conservation, forestry, environment protection or other relevant fields.

II. Years of experience:

- At least five years of experience in law, environmental law, environmental protection, forestry or other related fields;
- Good knowledge of the environment, land use and management and forestry sectors is required;
- Experience in interacting and working with state institutions at central and local levels;
- Experience in similar positions in a UNDP and/or other international projects are a strong advantage.

III. Competencies:

- Excellent written communication skills, with analytic capacity and ability to synthesize project outputs and relevant findings for the preparation of analytical documents;
- Ability to achieve results and deadlines in a timely manner, maintaining a high standard throughout;
- Ability to work in a team;
- Builds strong relationships with partners, focuses on impact and result for the client and responds positively to feedback.

5. Language requirements:

- Fluency in oral and written Romanian and Russian. Knowledge of English will be an asset.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

1. Proposal explaining why they are the most suitable for the work;
2. Financial proposal (in USD, specifying a lump sum amount);
3. Duly completed P 11 form, personal CV and at least 3 references.

5. FINANCIAL PROPOSAL

The financial proposal shall specify a total **lump sum** amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR.

In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including fee, taxes, travel, per diems, and number of anticipated working days). The evaluator shall bare costs for all supplies needed for data collection and data processing including possession of his own personal computer.

Travel

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

6. EVALUATION

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

- University or Advanced Degree in law, environmental law, biodiversity conservation, forestry, environment protection or other relevant fields;
- At least five years of experience in law, environmental law, environmental protection, forestry or other related fields.

The short-listed individual consultants will be further evaluated based on the following methodology:

Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- a) responsive/compliant/acceptable, and
- b) having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

* Technical Criteria weight – 60% (300 pts);

* Financial Criteria weight – 40% (200 pts).

Only candidates obtaining a minimum of 210 points would be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points Obtainable
<u>Technical</u>		

University or Advanced Degree in law, environmental law, biodiversity conservation, forestry, environment protection or other relevant fields	(BA – 25 pts, Master's -35 pts, PhD – 45 pts)	45
At least five years of experience in law, environmental law, environmental protection, forestry or other related fields	(5 years – up to 40 pts, for each additional year – 5 pts, up to max. 55 pts)	55
Experience in interacting and working with state institutions at central and local levels	(no – 0 pts, to some extent – up to 20 pts, large – up to 30 pts.)	30
Experience in similar positions in a UNDP and/or other international projects are a strong advantage	(no – 0 pts, to some extent – up to 15 pts., large – up to 25 pts.)	25
Interview (demonstrated technical knowledge and experience; communication/ interpersonal skills; initiative; creativity/ resourcefulness)		
Good knowledge of the environment, land use and management and forestry sectors is required	(no – 0 pts, to some extent – up to 45 pts, strong yes – up to 60 pts.)	145
Fluency in oral and written Romanian and Russian. Knowledge of English will be an asset	(Romanian – 10 pts; Russian – 10 pts, English – 5 pts)	
Competencies	Max. 60 pts	
Maximum Total Technical Scoring		300
Financial		
Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ S – score received on financial evaluation; F min – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; F – financial offer under consideration.		200

Winning candidate

The winning candidate will be the candidate, who has accumulated the highest aggregated score (technical scoring + financial scoring).

The United Nations Development Programme in Moldova is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.

Important notice

The applicant who has the statute of Government Official / Public Servant, prior to appointment will be asked to submit the following documentation:

- a no-objection letter in respect of the applicant received from the government, and;
- the applicant is certified in writing by the government to be on official leave without pay for the entire duration of the Individual Contract.

A retired government official is not considered in this case a government official, and as such, may be contracted.

ANNEXES:

ANNEX 1 – TERMS OF REFERENCES (TOR)

ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS